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6 **SUPERIOR COURT OF THE STATE OF WASHINGTON**
7 **FOR THURSTON COUNTY**

8 DEBORAH SENN, Insurance
9 Commissioner,

10 Petitioner,

11 v.

12 KPS HEALTH PLANS, and its officers and
13 directors,

14 Respondent.

NO. 99-2-01441-1

ORDER RE CONFIRMING
RECEIVER'S PLAN OF
REHABILITATION

15 THIS MATTER having come on regularly for hearing on Friday, January 14,
16 2000, at 2:30 P.M. before the Honorable Richard D. Hicks, the undersigned judge of
17 the above-entitled court, upon the Petition for Order Confirming Receiver's Plan of
18 Rehabilitation filed herein on December 15, 1999, pursuant to the Scheduling Order
19 entered herein on November 30, 1999; and the Petitioner Receiver James T.
20 Odiorne, Deputy Insurance Commissioner, Deputy Receiver John B. Woodall,
21 Assistant Deputy Insurance Commissioner, and Deputy Receiver John Hamje,
22 Special Deputy Insurance Commissioner, appearing personally and by and through
23 counsel of record, Victoria L. Vreeland, Gordon, Thomas, Honeywell, Malanca,
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1 Peterson & Daheim, P.L.L.C., Special Assistant Attorney General; and others
2 appearing as reflected in the record of proceedings; and the Court having
3 determined that:

4 1. Due notice and opportunity to be heard has been provided as
5 evidenced by the Certificates of Mailing/Publication on file with the Clerk of Court
6 which reflect that proper and timely NOTICE OF HEARING of the filing of the
7 Petition, of the manner and deadline by which to file Objections, and of this Hearing
8 date, time and place were mailed and published as required in the Scheduling Order
9 entered herein on November 30, 1999;
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11 2. One "Letter of Objection" has been filed and served by OMNI Partners,
12 a network of homecare providers, stating that the providers will not be able to uphold
13 their provider contract with reduced payments;
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15 3. One pleading entitled "Comments" has been filed and served by
16 Columbia Legal Services concerning potential health care conversion issues and
17 potential charitable assets of KPS HealthPlans; and
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19 4. No other Objections or comments to the Petition have been filed with
20 the Court or served on the Receiver's counsel as required in the Scheduling Order
21 and the NOTICE OF HEARING; and
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23 The Court having reviewed the records and files herein, having heard the
24 presentation of Petitioner and others as reflected in the record of proceedings of the
25 Hearing, and having determined that the Receiver's Plan of Rehabilitation does not
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1 impose harsher consequences on claimants than a liquidation, and being otherwise
2 duly advised in the matter, now therefore

3 IT IS HEREBY ORDERED that the Receiver's Petition for Order Confirming
4 Plan of Rehabilitation is hereby granted, and the Plan of Rehabilitation is hereby
5 confirmed and approved.
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7 DONE IN OPEN COURT this 14th day of January, 2000.
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10 _____
The Honorable Richard D. Hicks, Judge
Thurston County Superior Court
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12 Presented by:

13 GORDON, THOMAS, HONEYWELL,
MALANCA, PETERSON & DAHEIM, P.L.L.C.
14 Special Assistant Attorney General
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16 By: _____
Victoria L. Vreeland
17 WSBA No. 08046
Counsel to the Receiver
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